

(d) If a district or county attorney, under the authority of this section, executes and serves a civil investigative demand and files a petition described by Section 17.61(g), the petition must be filed in the district court in the county where the parties reside.

(e) A district or county attorney may act under this section so long as the consumer protection division does not intend to act with respect to that matter. Further, consistent with Section 17.48(b) of this subchapter, the consumer protection division shall, upon request and to the extent it has the resources available, provide assistance to a district or county attorney in any action taken under this subchapter. A district or county attorney may institute a suit described by this section on or after the 90th day after the date the attorney general receives the notice required by Section 17.48 unless before the 90th day after the date the notice is received the attorney general responds that it is actively investigating or litigating at least one of the alleged violations set forth in the notice. The consumer protection division shall notify the district or county attorney it no longer intends to actively investigate or litigate an alleged violation within a reasonable time of such determination.

(f) Notwithstanding any other law, in an action brought by a district or county attorney under this section, all settlements or penalties collected by the district or county attorney shall be divided between the state and the county in which the attorney brought suit, with:

(1) 50 percent of the amount collected paid to the comptroller for deposit to the credit of the basic civil legal services account established by Section 51.943, Government Code; and

(2) 50 percent of the amount collected paid to the county shall be deposited by the county in a segregated account and the funds shall be used only for law enforcement, public health programs, or drug abuse prevention programs.

SECTION 3. This Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.

Passed by the House on May 9, 2017: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

REAL PROPERTY ACQUIRED BY ADVANCE ACQUISITION FOR A TRANSPORTATION FACILITY

CHAPTER 862

H.B. No. 2646

AN ACT

relating to real property acquired by advance acquisition for a transportation facility.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 202.021(b), Transportation Code, is amended to read as follows:

(b) Except as provided by Subsection (c) and Section 202.113(b), real property shall be transferred or sold with the following priorities:

- (1) to a governmental entity with the authority to condemn the property; or
- (2) to the general public.

SECTION 2. Sections 202.112(a) and (d), Transportation Code, are amended to read as follows:

(a) The commission may *acquire real property or an interest in real property* or purchase an option to acquire *real property* for possible use in or in connection with a transportation facility before:

(1) a final decision has been made as to whether the transportation facility will be located on that property; or

(2) *environmental clearance has been issued for the transportation facility by the appropriate federal or state authority.*

(d) An option to acquire *real property* purchased under this section [~~or Section 227.041~~] may not expire later than the fifth anniversary of the date the option was purchased and may be renewed for subsequent periods that expire not later than the fifth anniversary of the date the option was renewed, by agreement of the commission and the grantor of the option or the grantor's heirs or assigns.

SECTION 3. Section 202.113, Transportation Code, is amended to read as follows:

Sec. 202.113. DISPOSAL OF SURPLUS PROPERTY. (a) *Except as provided by Subsection (b), the [The] commission shall dispose of property acquired by advance acquisition that is not needed for a transportation facility in the manner provided by Subchapter B.*

(b) *Notwithstanding any other law, the commission first shall offer property described by Subsection (a) for sale to the person from whom the commission acquired the property at a price that is equal to the lesser of:*

(1) *the price the commission paid the person to acquire the property; or*

(2) *the fair market value of the property at the time it is offered for sale under this subsection, taking into account any damage to the property.*

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 132, Nays 8, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective June 15, 2017.

AUTHORIZED INVESTMENTS OF PUBLIC FUNDS

CHAPTER 863

H.B. No. 2647

AN ACT

relating to authorized investments of public funds.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2256.009(a), Government Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the following are authorized investments under this subchapter:

(1) obligations, including letters of credit, of the United States or its agencies and instrumentalities;

(2) direct obligations of this state or its agencies and instrumentalities;

(3) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;